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BEFORE THE HIGH COURT OF JUDICATURE BILASPUR CHHATTISGARH

Writ Petition 1471 OF 2003

PETITIONERS : 1- State of Chhattisgarh through the Sub Divisional Officer, Public Works Department, Sub Division no.1, Durg (CG)

VERSUS.

RESPONDENTS : 1- Maniram S/o Dayaram Sahu,

2- Smt. Ramhinbai, W/o Maniram Sahu

Both resident of Kokdi, Post Office pauwara District Durg (CG)

P. R. No. 1298/03
Presented by Shri P. S. Koshy
dated 01.05.03

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

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HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 1471 of 2003

Petitioner State of Chhattisgarh

Versus

Respondents Maniram and another

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri V.V.S. Moorthy, Deputy Government Advocate with Smt. Anju Ahuja, Deputy Government Advocate for the petitioner.

Shri Ajay Shrivastava, counsel for the respondents.

ORAL ORDER

(5th April, 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. The petitioner has challenged the impugned order dated 6.3.2002 (Annexure P/1) passed by the Labour Court under the Industrial Disputes Act, 1947.

2. The Labour Court, having considered all the facts of the case, have come to the conclusion that the termination order dated 14.3.2000 passed by the petitioner was not in accordance with the provisions of the Industrial Disputes Act, 1947 and was passed in an arbitrary manner.

3. Accordingly, the termination order dated 14.3.2000 was quashed and the petitioner was directed to reinstate the respondents in the service with 50% back wages. The respondents have been reinstated in the service in compliance of the order dated 6.3.2002 passed by the Labour Court. The order of back wages was stayed by this Court vide order dated 7.5.2003, which was neither modified nor varied later on.

4. I have heard learned counsel for the parties and having perused the documents, it is found that there is no infirmity, perversity, illegality

or irregularity in the process or decision as to call for indulgence of this Court in exercise of its jurisdiction under Article 227 of the Constitution of India. The award is based on sufficient evidence and it does not require any interference by this Court in view of the settled position of the law that the Courts should restrain itself from interfering with the findings of the facts recorded by the Labour Court, except in such cases, where there is infirmity, perversity, illegality or irregularity and the findings are based on no evidence. This is not the case in the present petition.

5. Accordingly, the writ petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu